



BILLING CODE 6717-01-P
DEPARTMENT OF ENERGY
FEDERAL ENERGY REGULATORY COMMISSION
[Docket No. CP15-115-000]

National Fuel Gas Supply Corporation
and Empire Pipeline, Inc.;

SUPPLEMENTAL NOTICE OF INTENT TO PREPARE AN
ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED
NORTHERN ACCESS 2016 PROJECT,
REQUEST FOR COMMENTS ON ENVIRONMENTAL ISSUES, NOTICE OF
ENVIRONMENTAL SITE REVIEW,
AND NOTICE OF PUBLIC SCOPING MEETING

On October 22, 2014, the Federal Energy Regulatory Commission (FERC or Commission) issued in Docket No. PF14-18-000 a *Notice of Intent to Prepare an Environmental Assessment for the Planned Northern Access 2016 Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings* (NOI). In their application in the above-referenced docket, National Fuel Gas Supply Corporation (Supply) and Empire Pipeline Inc. (Empire) (collectively National Fuel) have since filed their proposed locations for one new compressor station and one natural gas dehydration facility in Niagara County, New York. This Supplemental Notice is being issued to seek comments on the new aboveground facilities and opens a new scoping period for interested parties to file comments on environmental issues specific to these facilities.

The October 22, 2014 NOI announced that the FERC will prepare an environmental assessment (EA) to address the environmental impacts of the Northern Access 2016 Project (Project). Please refer to the NOI for more information about the facilities proposed by National Fuel in Pennsylvania and New York. The Commission will use this EA in its decision-making process to determine whether the project is in the public convenience and necessity.

You can make a difference by providing us with your specific comments or concerns about the project. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. Your input will help Commission staff determine what issues they need to evaluate in the EA. To ensure that your comments are timely and properly recorded, please send your

comments so that the Commission receives them in Washington, DC on or before **May 29, 2015**.

The Commission previously solicited public input on the pipeline portion of the project in Pennsylvania and New York in the fall of 2014. We¹ are specifically seeking comments on the aboveground facilities to help the Commission staff determine what issues need to be evaluated in the EA. If you have previously submitted comments during the pre-filing review in docket no. PF14-18-000, you do not need to resubmit your comments at this time. Please note that this special **scoping period will close on May 29, 2015**.

This notice is being sent to the Commission's current environmental mailing list for this Project. State and local government representatives are asked to notify their constituents of this proposed Project and encourage them to comment on their areas of concern.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility on My Land? What Do I Need To Know?" is available for viewing on the FERC website (www.ferc.gov). This fact sheet addresses a number of typically-asked questions, including the use of eminent domain and how to participate in the Commission's proceedings.

Public Participation

For your convenience, there are three methods you can use to submit your comments to the Commission. The Commission will provide equal consideration to all comments received, whether filed in written form or provided verbally. The Commission encourages electronic filing of comments and has expert staff available to assist you at (202) 502-8258 or efiling@ferc.gov. Please carefully follow these instructions so that your comments are properly recorded.

- (1) You can file your comments electronically using the [eComment](#) feature located on the Commission's website (www.ferc.gov) under the link to [Documents and Filings](#). This is an easy method for interested persons to submit brief, text-only comments on a project;
- (2) You can file your comments electronically using the [eFiling](#) feature located on the Commission's website (www.ferc.gov) under the link to [Documents and Filings](#). With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on "[eRegister](#)." You must select the type of filing you are making. If you are filing a comment on a particular project, please select "Comment on a Filing"; or

¹ "We," "us," and "our" refer to the environmental staff of the Commission's Office of Energy Projects.

- (3) You can file a paper copy of your comments by mailing them to the following address:

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

- (4) In lieu of sending written or electronic comments, the Commission invites you to attend the public scoping meeting its staff will conduct in the project area, scheduled as follows.

FERC Public Scoping Meeting
Northern Access 2016 Project – Aboveground Facilities in NY
May 20, 2015, 7:00 pm
Wendelville Fire Company
7340 Campbell Boulevard
North Tonawanda, NY 14120

We will begin our sign up of speakers at 6:00 p.m. The scoping meeting will begin at 7:00 p.m. with a description of our environmental review process by Commission staff, after which speakers will be called. The meeting will end once all speakers have provided their comments or at 10:00 p.m., whichever comes first. Please note that there may be a time limit of **three minutes** to present comments, and speakers should structure their comments accordingly. If time limits are implemented, they will be strictly enforced to ensure that as many individuals as possible are given an opportunity to comment. The meetings are recorded by a stenographer to ensure comments are accurately recorded. Transcripts will be entered into the formal record of the Commission proceeding.

National Fuel representatives will be present one hour prior to the start of the scoping meeting to provide additional information about the project and answer questions.

Environmental Onsite Review

Commission staff will conduct two environmental onsite reviews of National Fuel's proposed Pendleton Compressor Station site and its proposed Wheatfield Dehydration Facility. Notes from this onsite environmental site review will be posted to the docket.

Summary of the Newly Proposed Facilities

The aboveground facilities that are the focus of this notice are the new Pendleton Compressor Station and Wheatfield Dehydration Facility, both in Niagara County, New York. The general location of these proposed project facilities is shown in Appendix 1.²

The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us to discover and address concerns the public may have about proposals. This process is referred to as scoping. The main goal of the scoping process is to focus the analysis in the EA on important environmental issues. By this notice, the Commission requests public comments on the scope of issues to address in the EA.

In the EA, we will discuss impacts that could occur as a result of the construction and operation of the proposed Project under these general headings:

- geology;
- soils;
- water resources;
- vegetation;
- wildlife and aquatic resources;
- fisheries and aquatic resources;
- threatened, endangered, and other special-status species;
- land use, recreation, special interest areas, and visual resources;
- socioeconomics;
- cultural resources;
- air quality and noise;
- reliability and safety; and
- cumulative environmental impacts.

We will also evaluate possible alternatives to the proposed Project or portions of the Project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

Please note that since National Fuel has filed an application for the proposed Project, a new docket number has been assigned (CP15-115-000). As part of our pre-

² The appendices referenced in this notice are not being printed in the Federal Register. Copies of appendices were sent to all those receiving this notice in the mail and are available at www.ferc.gov using the link called “eLibrary” or from the Commission’s Public Reference Room, 888 First Street NE, Washington, DC 20426, or call (202) 502-8371. For instructions on connecting to eLibrary, refer to the last page of this notice.

filing review, we participated in public Open House meetings sponsored by National Fuel in the project area in August 2014 to explain the environmental review process to interested stakeholders. We also conducted public scoping meetings along the proposed pipeline route in November 2014. We have also contacted federal and state agencies to discuss their involvement in the scoping process and the preparation of the EA.

The EA will present our independent analysis of the issues. We will publish and distribute the EA for public comment. After the comment period, we will consider all timely comments which will be addressed in the Commission's decisional order.

With this notice, we are asking agencies with jurisdiction and/or special expertise with respect to environmental issues related to this Project to formally cooperate with us in the preparation of the EA. Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the Public Participation section of this notice. Currently, the U.S. Army Corps of Engineers has expressed its intention to participate as a cooperating agency in the preparation of the EA to satisfy its NEPA responsibilities related to this Project.

Consultations Under Section 106 of the National Historic Preservation Act

In accordance with the Advisory Council on Historic Preservation's implementing regulations for section 106 of the National Historic Preservation Act, we are using this notice to initiate consultation with the applicable State Historic Preservation Offices and to solicit their views and those of other government agencies, interested Indian tribes, and the public on the Project's potential effects on historic properties.³ We will define the project-specific Area of Potential Effects in consultation with the State Historic Preservation Offices as the project develops. On natural gas facility projects, the Area of Potential Effects at a minimum encompasses all areas subject to ground disturbance (examples include construction right-of-way, contractor/pipe storage yards, compressor stations, and access roads). Our EA for this project will document our findings on the impacts on historic properties and summarize the status of consultations under section 106.

Environmental Mailing List

The environmental mailing list includes federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. This list also includes all affected landowners (as defined by the Commission's regulations) who are potential right-of-way grantors, whose property may be used temporarily for project purposes, or who own homes within certain distances of

³ The Advisory Council on Historic Preservation's regulations are at Title 36, Code of Federal Regulations, Part 800. Historic properties are defined in those regulations as any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places.

aboveground facilities, and anyone who submits comments on the Project. We will update the environmental mailing list as the analysis proceeds to ensure that we send the information related to this environmental review to all individuals, organizations, and government entities interested in and/or potentially affected by the proposed Project.

Copies of the completed EA will be sent to the environmental mailing list for public review and comment. **If you would prefer to receive a paper copy of the document instead of a CD version or would like to remove your name from the mailing list, please return the attached Information Request (appendix 2).**

Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an “intervenor” which is an official party to the Commission’s proceeding. Intervenor play a more formal role in the process and are able to file briefs, appear at hearings, and be heard by the courts if they choose to appeal the Commission’s final ruling. An intervenor formally participates in the proceeding by filing a request to intervene. Instructions for becoming an intervenor are in the User’s Guide under the “e-filing” link on the Commission’s website.

Additional Information

Additional information about the Project is available from the Commission’s Office of External Affairs, at (866) 208-FERC, or on the FERC website (www.ferc.gov) using the eLibrary link. Click on the eLibrary link, click on “General Search” and enter the docket number, excluding the last three digits in the Docket Number field (i.e., CP15-115). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at FercOnlineSupport@ferc.gov or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to www.ferc.gov/docs-filing/esubscription.asp.

Public meetings or site visits will be posted on the Commission’s calendar located at www.ferc.gov/EventCalendar/EventsList.aspx along with other related information.

Finally, National Fuel has established a project contact (Emily Ciraolo), a toll-free phone number (1-800-634-5440 ext. 7861) and an email support address (ciraoloe@natfuel.com) so that parties can call them directly with questions about the project.

Dated: April 29, 2015.

Kimberly D. Bose,
Secretary.

[FR Doc. 2015-10557 Filed: 5/5/2015 08:45 am; Publication Date: 5/6/2015]